

REMARKS

This is a response to the Office Action dated January 22, 2007.

I. SUMMARY OF OFFICE ACTION

In the Office Action, the Examiner rejected claim 1 under 35 U.S.C. § 102(b) based on the view that the claim is anticipated by Heinonen (5,918,596). The Examiner has allowed claims 10-15.

II. APPLICANT'S RESPONSE

A. CLAIM REJECTIONS UNDER 35 U.S.C. § 102(b)

Claim 1

In the Office Action, Claim 1 was rejected under 35 U.S.C. § 102(b) based on the view that Heinonen anticipates Claim 1. In response to Examiner's rejection Applicant has amended Claim 1 to include the following, "a gas identifier by which a gas supplied to the gas delivery system is **automatically** identified." An aspect of Applicant's invention contemplates automatically identifying the gas supplied to the gas delivery system. In this respect, Heinonen does not appear to disclose, teach, or suggest the automatic identification of the gas entering the gas delivery system. Thus, Applicant believes that the 35 U.S.C. § 102(b) anticipation rejection should be withdrawn.

Applicant believes that Claim 1 as amended is sufficient to patentably distinguish the present invention over the Heinonen reference. For the foregoing reasons, Applicant respectfully submits that the invention recited in Claim 1 is in condition for allowance.

B. MINOR AMENDMENTS

Specification

In the Office Action, the disclosure was objected to because of a few informalities. Paragraph 0032 has been amended to reference figure 5 as a table of sample correction factors.

Claim Objections

The Examiner objected to Claims 1 and 10 based on the view that the term "Gas ID" is vague and did not structurally describe the invention. In response, Applicant has amended

Application No.: 09/998,084
Attorney Docket: BEARM-092A

Claims 1 and 10 to overcome the above informality. Additionally, Claim 10 was objected to because the inspiratory flow sensor was repeated. Applicant has amended Claim 10 to overcome the above informality.

III. CONCLUSION

For the foregoing reasons, Applicant respectfully submits that the stated ground of rejection has been overcome, and that Claims 1 and 10-15 are in condition for allowance. An early notice of allowance is therefore respectfully requested.

Should the Examiner have any suggestions for expediting allowance of the application, the Examiner is invited to contact the Applicant's representative at the telephone number listed below.

If any additional fee is required, please charge deposit account number 19-4330.

		Respectfully submitted, 
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